



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ward *et al.*

Appl. No. 09/438,689

Filed: November 12, 1999

For: Differential Crystal Oscillator

Confirmation No. 9756

Art Unit: 2817

Examiner: Mis, David C.

Atty. Docket: 1875.095000C

**Sixth Supplemental Information Disclosure Statement**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application

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does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed concurrently with the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
  - a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
  - b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more

than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

c. Attached is our PTO-2038 Credit Card Payment Form [OR] Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p).

4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

5. Documents AA1, AB1, AC1, AD1, AE1, AF1, AG1, AL1, AP1 and AQ1 were cited in an International Search Report by a foreign patent office in a counterpart foreign application. Also cited in said International Search Report were U.S. Patent No. 4,141,209, U.S. Patent No. 4,353,039, U.S. Patent No. 4,789,976, U.S. Patent No. 5,031,233, U.S. Patent No. 5,630,214, U.S. Patent No. 5,715,012, U.S. Patent No. 5,737,035, U.S. Patent No. 5,757,220, German Patent No. 195 06 324, German Patent No. 37 23 778, European Patent No. 0 133 618, European Patent No. 0 393 717, European Patent No. 0 629 040,

European Patent No. 0 767 532, UK Patent No. 2 058 505, and Poole, S.J. *et al.*, "A CMOS Subscriber Line Audio Processing Circuit Including Adaptive Balance," IEEE Int'l. Symp. On Circuits and Systems, pp. 1931-1934 (1988), which have already been cited in the present application in previous Information Disclosure Statements. A copy of the International Search Report is enclosed as document AR1 for the convenience of the Examiner.

Documents AB1, AD1, AE1, AF1, AK1, AP1, AQ1 and AL1 were cited in an International Preliminary Examination Report by a foreign patent office in a counterpart foreign application. Also cited in said International Preliminary Examination Report were U.S. Patent No. 3,824,491, U.S. Patent No. 4,141,209, U.S. Patent No. 4,353,039, U.S. Patent No. 4,789,976, U.S. Patent No. 5,715,012, U.S. Patent No. 5,737,035, U.S. Patent No. 5,757,220, European Patent No. 0 393 717, European Patent No. 0 629 040, UK Patent No. 2 058 505, and Poole, S.J. *et al.*, "A CMOS Subscriber Line Audio Processing Circuit Including Adaptive Balance," IEEE Int'l. Symp. On Circuits and Systems, pp. 1931-1934 (1988), which have already been cited in the present application in previous Information Disclosure Statements. A copy of the International Preliminary Examination Report is enclosed as document AP2 for the convenience of the Examiner.

Documents AE1 and AF1 were cited in an Examination Report by a foreign patent office in a counterpart foreign application. Also cited in said Examination Report were U.S. Patent No. 5,715,012, U.S. Patent No. 5,737,035, European Patent No. 0 629 040 and UK Patent No. 2 058 505, which have already been cited in the present application in previous Information Disclosure Statements. A copy of the Examination Report is enclosed as document AQ2 for the convenience of the Examiner.

- 6. A concise explanation of the relevance of the non-English language document(s) appears below:
- 7. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. \_\_\_\_\_, filed

\_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: 6/24/03

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